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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/606,418	06/26/2003	Tadao Endo	03500.011909.1	5676

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EXAMINER

NGUYEN, LUONG TRUNG

ART UNIT	PAPER NUMBER
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2622

MAIL DATE	DELIVERY MODE
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06/27/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/606,418	Applicant(s) ENDO ET AL.	
	Examiner LUONG T. NGUYEN	Art Unit 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 April 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 66 and 68-71 is/are allowed.
- 6) ☒ Claim(s) 72 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>01/08/07</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 68-72 are objected to because of the following informalities:

Claim 68 (line 7), "said drive wire" should be changed to --said drive wires--.

Claim 68 (line 14), claim 72 (line 14), "to the an output terminal" should be changed to --to an output terminal--.

Claim 68 (lines 19-20), claim 72 (line 19), "the serial signal" should be changed to --the serial signals--.

Claim 72 (line 19), "the output signal" should be changed to --the output signals--.

Claims 69-71 are objected as being dependent on claim 68.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 72 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Since claim 72 is an improper hybrid claim calling for both an apparatus and the method steps of using the apparatus, claim 72 is indefinite under 35 U.S.C. 112, second paragraph. See

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MPEP 2173.05 (p). As both an apparatus and method are claimed in the same claim, it is vague and confusing as to what the metes and bounds of the claim set forth.

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claim 72 is rejected under 35 U.S.C. 101 because the claimed invention is directed to neither a “process” nor a “machine,” but rather embraces or overlaps two different statutory classes of invention. See MPEP 2173.05 (p).

Claim Rejections - 35 USC § 102

6. It should be noted that wherein clause in a method claim is not given weight when it simply expresses the intended result of a process step positively recited. See MPEP § 2111.04. Therefore, since claim 72 is a newly added method claim which uses “wherein” clause, the wherein clause “wherein the radiation pickup apparatus comprises a photoelectric conversion circuit section ... wherein the second switch is turned on simultaneously with turning on of the first switch, and is then turned off a delay time period after turning off of the first switch” is not given weight. Claim 72 will be rejected based on the limitation “a method of controlling a radiation image pickup apparatus as discussed below.

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claim 72 is rejected under 35 U.S.C. 102(b) as being anticipated by Kinoshita et al. (US 4,612,454).

Regarding claim 72, Kinoshita et al. discloses a method for controlling a signal integration time of a signal integration type image sensing device (see abstract; column 2, lines 26-46), which corresponds to a method of controlling radiation image pickup apparatus.

9. Claim 72 is rejected under 35 U.S.C. 102(b) as being anticipated by Hotta (US 5,291,292).

Regarding claim 72, Hotta discloses a method of driving an image sensor (column 3, lines 35-68), which corresponds to a method of controlling radiation image pickup apparatus.

Allowable Subject Matter

10. Claims 66, 68-71 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 66, the prior art of the record fails to show or fairly suggest a radiation image pick-up apparatus comprising a reset switch for resetting the signal wire, a second switch for DC restoration of the first capacitor element, wherein the second switch is turned on simultaneously with turning on of the reset switch, and is then turned off at a delay time period after turning off of the reset switch.

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Regarding claim 68, the prior art of the record fails to show or fairly suggest a radiation image pick-up apparatus comprising a first switch to reset of the signal wire, a second switch for DC restoration of the first capacitor element, wherein the second switch is turned on simultaneously with turning on of the first switch, and is then turned off a delay time period after turning off of the first switch.

Claims 69-71 are allowed for the reason given in claim 68.

Conclusion

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LUONG T. NGUYEN whose telephone number is (571) 272-7315. The examiner can normally be reached on 7:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DAVID L. OMETZ can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LN LN
06/22/07



DAVID OMETZ
SUPERVISORY PATENT EXAMINER